Cumulative Table of Cases Connecticut Appellate Reports Volume 206

(Replaces Prior Cumulative Table)

Allen v. Shoppes at Buckland Hills, LLC	284
Bellerive v. Grotto, Inc Workers' compensation; whether Compensation Review Board properly reversed decision of Workers' Compensation Commissioner determining that certain insurance coverage was in effect on date of plaintiff's injury; claim that defendant insurer's notice of cancellation of policy pursuant to statute (§ 31-348) was ineffective because it was not made in accordance with requirements of statute (§ 31-321); whether certain common-law theories supported finding that insurance coverage was in place on date of loss under facts of case.	702
Boyajian v. Planning & Zoning Commission	118
Zoning; whether plaintiffs' failure to appeal from decision of zoning board of appeals that granted application for variance rendered their opposition to planning and	
zoning commission's decision to grant special permit to same individual based on variance impermissible collateral attack on validity of variance.	
Bray v. Bray	46
Dissolution of marriage; postjudgment motion for contempt; claim that trial court incorrectly determined that meaning of term "net," as used in parties' separation agreement, was clear and unambiguous; claim that trial court incorrectly deter-	
mined that separation agreement did not contemplate consideration of defend-	
ant's net income to calculate amount of his bonus and stock income that was subject to distribution to plaintiff.	
Buehler v. Newtown	472
Negligence; motion for summary judgment; claim that trial court improperly determined that no genuine issue of material fact existed as to whether plaintiff was identifiable victim who fell within identifiable person-imminent harm exception to governmental immunity doctrine; whether plaintiff's presence on premises was voluntary.	
Capone v. Nizzardo	645
Partition of real property; claim that trial court committed plain error when it determined highest and best use of property without reviewing applicable zoning regulations; whether plaintiff met either prong of plain error doctrine; claim that trial court's determination of highest and best use of property was clearly erroneous.	010
Carrasquillo v. Commissioner of Correction	195
Habeas corpus; whether habeas court properly concluded that petitioner was not denied right to effective assistance of counsel; whether trial counsel adequately advised petitioner regarding plea offer.	100
Charles v. Commissioner of Correction	341
Habeas corpus; ineffective assistance of trial counsel; whether habeas court properly determined that petitioner failed to demonstrate that it was objectively unreasonable for trial counsel to pursue defense of third-party culpability instead of self-defense; whether habeas court's factual findings were clearly erroneous; whether habeas court's factual findings amounted to harmless error.	
Chief Disciplinary Counsel v. Elder	515
Attorney presentment; appeal from judgment of trial court reprimanding defendant attorney; claim that trial court erred in denying defendant's motion to dismiss presentment complaint because reviewing committee took more than ninety days to render its final written decision in contravention of statute (§ 51-90g (c)) and applicable rule of practice (§ 2-35 (i)); claim that trial court erred in denying motion to dismiss presentment complaint because reviewing committee consid-	313
ered allegations outside scope of probable cause determination.	

Clark v. Waterford	223
decision of Workers' Compensation Commissioner that plaintiff employee's claim for benefits under Heart and Hypertension Act (§ 7-433c) was compensable; whether plaintiff was member of paid municipal fire department eligible for benefits pursuant to § 7-433c while he was employed as part-time firefighter; claim that term "member" in § 7-433c is defined by statute (§ 7-425 (5)).	
Cocchia v. Testa Breach of contract; personal jurisdiction; motion to dismiss; motion to substitute; claim that trial court improperly denied postjudgment motion to dismiss for lack of personal jurisdiction because defendant was not properly cited in as defendant.	634
Cooke v. Williams . Legal malpractice; fraud; ripeness; subject matter jurisdiction; whether claim that defendants provided deficient representation with respect to plaintiff's prior habeas corpus action was ripe for adjudication when plaintiff remained validly incarcerated and his conviction has never been invalidated; whether claim alleging fraudulent and improper fee practices by defendants was ripe for adjudication.	151
Cruz v. Commissioner of Correction	17
Dunn v. Northeast Helicopters Flight Services, L.L.C	412
Fenner v. Commissioner of Correction	488
Frantzen v. Davenport Electric	359
Gibson v. Jefferson Woods Community, Inc	303
Graham v. Commissioner of Transportation	497

Guiliano v. Jefferson Radiology, P.C	603
Medical malpractice; whether trial court abused its discretion by sustaining objections by defendant's counsel to certain questions posed to plaintiff's expert witness on direct examination; whether trial court abused its discretion by imposing time limitation on presentation of witness' testimony; whether time limitation imposed on witness' testimony constituted violation of plaintiff's constitutional rights.	
Hasan v. Commissioner of Correction	695
Habeas corpus; claim that habeas court improperly dismissed petitioner's third petition for writ of habeas corpus as untimely pursuant to applicable statute (§ 52-470 (d) and (e)); whether petitioner failed to overcome rebuttable presumption that he lacked good cause for filing petition beyond statutory deadline; whether petitioner's assertion of claim of actual innocence and reference to new evidence for first time at show cause hearing were sufficient to overcome presumption that delay was without good cause.	
Holloway v. Carvalho	371
Probate appeal; appeal to trial court from decree of Probate Court admitting decedent's will; claim that trial court improperly concluded that decedent had testamentary capacity to execute will; claim that trial court improperly concluded that defendant had not exercised undue influence over decedent in securing execution of decedent's will because it failed to assign burden of disproving claim of undue influence to defendant.	
In re Annessa J	572
Termination of parental rights; motion for posttermination visitation; reviewability of respondent mother's unpreserved claims that trial court proceedings to terminate her parental rights held over remote platform violated her state and federal constitutional rights; reviewability of mother's claim that trial court violated her right to due process of law in denying her motion for permission to allow her expert witness to review certain information; reviewability of respondent father's claim that trial court erred in concluding that Department of Children and Families made reasonable efforts to reunify him with minor child; whether sufficient evidence in record supported trial court's conclusion that father failed to achieve personal degree of rehabilitation within a reasonable period of time pursuant to statute (§ 17a-112 (j) (3) (B) (i)); whether trial court erred in determining that termination of father's parental rights was in best interest of minor child pursuant to statutory (§ 17a-112 (k)) factors; whether trial court applied correct legal standard in denying respondent parents' motions for posttermination visitation with minor child, pursuant to statute (§ 46b-121 (b) (1)) and our Supreme Court's decision in In re Ava W. (336 Conn. 545). In re Naomi W	138
moot claim qualified for review under capable of repetition yet evading review exception to mootness doctrine.	
KeyBank, N.A. v. Yazar	625
Foreclosure; summary judgment; Emergency Mortgage Assistance Program statutory	020
(§ 8-265ee (a)) notice; whether plaintiff's failure to comply with notice requirement of § 8-265ee (a) deprived trial court of subject matter jurisdiction; whether plaintiff may rely on notice that had been sent by original lender in prior foreclosure action that was later dismissed to satisfy its own notice requirements in separate foreclosure action.	
Marshall v. Commissioner of Correction	461
Habeas corpus; whether habeas court abused its discretion in denying petition for certification to appeal; whether habeas court improperly dismissed petition for writ of habeas corpus; claim that imposition of term of incarceration and period of special parole constituted two distinct sentences for same offense, violating petitioner's federal and state constitutional rights to be free from double jeopardy.	
Mecartney v. Mecartney	243
Dissolution of marriage; postjudgment motion for contempt; whether trial court erred in its interpretation of its previous order; whether trial court exceeded its equitable authority in imposing certain conditions in subsequent order to protect interpretation in the subsequent of its exclaim in demonst.	

Monts v. Board of Education Disability discrimination; claim that trial court erred by failing to charge jury on plaintiff's claim of interference with Family and Medical Leave Act of 1993 (29 U.S.C § 2601 et seq.); claim that trial court erred by admitting letter prepared by plaintiff's coworker into evidence under business records exception to hearsay rule; claim that trial court erred by refusing to admit into evidence certain medical records of plaintiff.	106
Nikola v. 2938 Fairfield, LLC. Foreclosure; motion for deficiency judgment; claim that trial court incorrectly concluded that it was not barred by doctrine of res judicata from determining amount of deficiency judgment; claim that certain findings from Probate Court as to amount of deficiency barred further litigation; whether trial court properly included in deficiency judgment certain tax liens paid by plaintiff.	178
Onthank v. Onthank	54
Regional School District 8 v. M & S Paving & Sealing, Inc	523
Saunders v. KDFBS, LLC	92
State v. Collins	438
State v. Gordon	70
State v. Green	253
State v. Lane	1

State v. Marshall. Motion to correct illegal sentence; claim that trial court erred in concluding that defendant was properly sentenced as persistent serious felony offender pursuant to (Rev. to 2007 § 53a-40 (j)); claim that trial court erred in concluding that defendant waived right to jury trial on public interest determination and that he was not required to admit that extended incarceration would best serve public interest; whether trial court properly rejected claims regarding defendant's right to probable cause hearing and revocation of parole because they did not attack defendant's sentence.	209
State v. Morlo M	660
Stevenson v. Commissioner of Correction	275
State v. Santiago	390
State v. Williams	539
Swanson v. Perez-Swanson	266

U.S. Bank, National Assn. v. Fitzpatrick	509
Foreclosure; judgment of foreclosure by sale; whether trial court erred in granting motion to approve sale without newspaper advertisements; motion to terminate	
stay; mootness; right of redemption.	
Villanueva v. Villanueva.	36
$Breach\ of\ contract;\ implied\ in\ fact\ contract;\ damages;\ statute\ of\ limitations;\ whether$	50
trial court erred in finding implied partnership agreement between parties;	
whether trial court erred in concluding that plaintiff provided credible evidence	
of his damages; whether trial court improperly rejected defendant's special defense	
that plaintiff's action was barred by three year statute of limitations (§ 52-577).	
Warzecha v. USAA Casualty Ins. Co	188
Breach of insurance contract; declaratory judgment; whether defendant had duty to	
defend and to indemnify plaintiff pursuant to homeowners insurance policy in	
action alleging negligent infliction of emotional distress; whether trial court	
erred in rendering summary judgment for defendant.	
Your Mansion Real Estate, LLC v. RCN Capital Funding, LLC	316
Mortgage release statute (§ 49-8); claim that trial court erred in not dismissing	
complaint on ground that plaintiff was not aggrieved pursuant to § 49-8 because	
it did not suffer any damages and, therefore, did not have standing; whether	
trial court erred in sustaining plaintiff's objection to certain questions asked of	
defendant's corporate witness concerning whether there existed common practice	
whereby borrowers recontact defendant if they have not timely received requested	
mortgage release; claim that trial court improperly rejected special defense that	
plaintiff had duty to mitigate, but failed to mitigate its statutory damages; claim	
that § 49-8 (c) was unconstitutional as applied to case in violation of eighth and	
fourteenth amendments to federal constitution.	